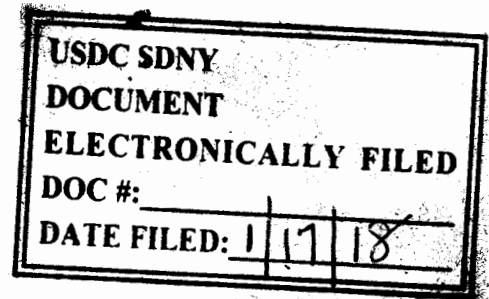


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SCHILLER
FLEXNER**MEMO ENDORSED**

January 17, 2018

BY ECF

Honorable Louis L. Stanton ✓
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *American International Group, Inc. and Subsidiaries v. United States*, No. 09 Civ. 1871 (LLS)

Dear Judge Stanton:

I write on behalf of all parties to seek the Court's permission to deviate from the Court's Individual Practice 3(A)(4), which concerns expert witness statements. The parties believe the modification we have set out below will provide the Court with the information it needs, while saving the Court and the parties from unnecessary burden.

As the Court is aware, its Individual Practice 3(A)(4) provides in relevant part that "when expert witnesses will be used to support disputed findings, the party who will call the expert must submit to his adversary and file with the Court on or before the submission date of the pre-trial order, a sworn statement, executed by the expert witness, summarizing his or her education and professional background and his or her direct testimony." It further provides that "references to any documents or sources on which the expert will rely must also be included."

In this case, 29 expert witnesses have been deposed and may testify at trial, subject to the resolution of pre-trial motions. They each have issued at least one Rule 26 expert report, and some have issued as many as three. Some of their reports are long, and rely on scores of documents.

In light of the number of experts and volume of disclosures, the parties believe that drafting and providing additional sworn statements would be burdensome and largely duplicative of the experts' Rule 26 reports. Instead, the parties request that the Court allow the parties to submit a list of expert witnesses that will provide for each expert (1) a brief summary of the expert's educational and professional background, (2) the names of the adverse party expert to whom the expert's opinions respond (if any), and (3) a brief summary of the subject of the expert's testimony and the main opinions that the expert will offer at trial.

SO.
Order.
ed.
Louis L.
Stanton
1/17/18

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Honorable Louis L. Stanton
January 17, 2018
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We hope that this proposal is agreeable to the Court as we believe it will provide significant efficiency to the preparation of the consolidated pre-trial order.

Respectfully submitted,

/s/ Robin A. Henry
Robin A. Henry

cc: All Counsel (By ECF)
